

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

NANCY GARDNER, et al.,)	No. ED101931
)	
Appellants,)	Appeal from the Circuit Court
)	of St. Louis County
vs.)	
)	Honorable Mark D. Seigel
BANK OF AMERICA, N.A., et al.,)	
)	
Respondents.)	FILED: May 5, 2015

Appellants, a group of homeowners, appeal from the judgment of the trial court dismissing their claims against various mortgage brokers and lenders for declaratory judgment, fraud, conspiracy to defraud, and violations of the Missouri Merchandising Practice Act. Appellants challenge the dismissal of their claims on the ground that their Second Amended Petition set forth a short and plain statement of the facts showing their entitlement to relief. As to their claims for fraud and conspiracy to defraud, Appellants additionally assert that Respondents waived any objection to the particularity of their pleadings by failing to file a motion for more definite statement.

AFFIRMED.

Division III holds: Because of the pleading deficiencies of Appellants' Second Amended Petition and the deficiencies in the briefing on Point Four on appeal, we affirm the trial court's judgment dismissing Appellants' claims.

Opinion by: Kurt S. Odenwald, P.J., Robert G. Dowd, Jr., J. and Gary M. Gaertner, Jr., J. Concur.

Attorney for Appellant:	Gregory Fenlon
Attorney for Respondent Doug Stahlschmidt:	Brett Caban and Nicholas Schopp
Attorney for Respondent Bank of America:	Brian Walsh and Rhiana Luaders
Attorney for U.S. Bank Nat. Assoc.:	Booker T. Shaw, Matthew Landwehr and Sara Chamberlain

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